



W.P.(MD)No.301 of 2021

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 10.10.2023

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THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

W.P.(MD)No.301 of 2021

and

W.M.P.(MD).No.231 of 2021

M.Pachaiammal

... Petitioner

Vs.

- 1.The District Collector,
Virudhunagar District,
Virudhunagar.
- 2.The District Revenue Officer,
Collector Office Campus,
Virudhunagar,
Virudhunagar District.
- 3.The Revenue Divisional Officer,
Revenue Divisional Office,
Aruppukottai,
Virudhunagar District.
- 4.The Tahsildar,
Tahsildar Office,
Thirusuli Tk, Aruppukottai,
Virudhunagar District.



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5. Shantha

...Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, forbearing the respondents from dispossessing the petitioner house at Survey No.408/47 measuring to an extent of 2 1/2 cents, situated at Serthanathi Village, Eluvani Panchayat Siruvarur Post, Thirusuli Taluk, Aruppukottai, Virudhunagar District.

For Petitioner : Mr.Selvavinayagam

For R-1 to R-4 : Mr.K.S.Selvaganesan,
Additional Government Pleader

For R-5 : Mr.V.Muthukamatchi

ORDER

This Writ Petition has been filed for the issue of writ of mandamus forbearing the respondents from dispossessing the petitioner from the subject property.

2. Heard the learned counsel appearing on behalf of the petitioner as well as the learned Additional Government Pleader appearing on behalf of respondent Nos.1 to 4 and the learned counsel appearing on behalf of the fifth respondent.



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3. The case of the petitioner is that the assignment patta was granted in favour of the husband of the petitioner under the category of free house site patta scheme. This assignment patta came to be cancelled on 28.11.2020. Aggrieved by the same, the petitioner had filed an appeal before the District Collector. During the pendency of this appeal, an attempt was made to evict the petitioner from the subject property. Hence, the present Writ Petition has been filed before this Court.

4. Taking into consideration the facts and circumstance of the case, it will suffice, if a direction is given to the first respondent to dispose of the appeal filed by the petitioner on 14.12.2020 within a time frame fixed by this Court.

5. Accordingly, this Writ Petition is disposed of, with a direction to the first respondent to dispose of the appeal filed by the petitioner on 14.12.2020 on its own merits and in accordance with law and final orders shall be passed within a period of eight (8) weeks from the date of receipt of a copy of this order. When this Writ Petition was entertained, the possession of the petitioner was safeguarded by means of



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an order interim injunction. This protection is continued till the final order is passed by the first respondent in the pending appeal. No costs.

Consequently, the connected miscellaneous petition is closed.

10.10.2023

NCC:yes/no

Index:yes/no

Internet:yes/no

tsg

To

- 1.The District Collector,
Virudhunagar District,
Virudhunagar.
- 2.The District Revenue Officer,
Collector Office Campus,
Virudhunagar,
Virudhunagar District.
- 3.The Revenue Divisional Officer,
Revenue Divisional Office,
Aruppukottai,
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- 4.The Tahsildar,
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N.ANAND VENKATESH, J.

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